

IN THE MATTER OF THE \* BEFORE THE  
THE APPLICATION OF \* COUNTY BOARD OF APPEALS  
FRED CONRAD \* OF  
FOR A SPECIAL EXCEPTION ON \*  
PROPERTY LOCATED AT THE INTER- \*  
SECTION OF EDWARDS LANE AND \* BALTIMORE COUNTY  
BASS ROAD (3301 EDWARDS LANE) \*  
15TH ELECTION DISTRICT \* CASE NO. 92-390-SPHXA  
5TH COUNCILMANIC DISTRICT \*  
\* \* \* \* \*

**O R D E R**

The above-entitled matter came on for hearing before this Board on April 20, 1993 on appeal from a decision of the Zoning Commissioner dated June 19, 1992, wherein Petitioner's request for a special exception for a marina was granted with certain restrictions.

For the reasons given by this Board after deliberation in open hearing, it is therefore this 28th day of April, 1993 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Exception for permission to use the subject property as a marina with accessory retail sales, be and is hereby GRANTED subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. There will be no on-site (land) storage of marine craft, either on blocks, land, or within a rack system.
3. There will be no boat launching from the site.

Case No. 92-390-SPHXA Fred Conrad

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4. The number of slips shall be limited to no greater than 131.
5. There will be no gasoline sales from this site.
6. Except as expressly modified herein, the use of the subject site will be restricted to that of a marina, as that term is defined in Section 101 of the Baltimore County Zoning Regulations. That is, there shall be no sales, construction, repair, etc., of marine craft on this site.

7. The Petitioner shall comply with all of the requirements of the Department of Environmental Protection and Resource Management (DEPRM), as set forth in their comments dated February 14, 1992, submitted as Petitioner's Exhibit No. 2B, as well as additional requirements of that department which may be issued, pursuant to the ZAC comment dated May 21, 1992.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William T. Hackett  
William T. Hackett, Chairman

C. William Clark  
C. William Clark

Michael B. Sauer  
Michael B. Sauer

IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
SPECIAL EXCEPTION & ZONING VARIANCE \* ZONING COMMISSIONER  
Intersection of Edwards Lane and \*  
Bass Road \* OF BALTIMORE COUNTY  
3301 Edwards Lane \*  
15th Election District \* Case No. 92-390-SPHXA  
5th Councilmanic District \*  
Fred Conrad \*  
Petitioner \*

**FINDINGS OF FACTS AND CONCLUSIONS OF LAW**

This matter comes before the Zoning Commissioner as a Petition for Special Exception, Petition for Special Hearing and Petition for Zoning Variance; all for that property known as 3301 Edwards Lane. The site is more commonly known as Conrad's Ruth Villa, a long time park/catering establishment located adjacent to Frog Mortar Creek in the Bowleys Quarters subdivision of Baltimore County.

As to the Petition for Special Exception, the Petitioner requests permission to use the subject property as a marina with accessory retail sales. As to the special hearing, an amendment of the zoning Order in case No. 89-36-SPH is requested. This amendment will be to add an additional .65 acres to the nonconforming use in one section of the property while reducing another portion of the property used by the nonconforming use by 2.2 acres.

As to the zoning variances, there are three which relate to parking requirements. They include a variance from Section 409.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow parking with direct access to vehicular travelways with a limited backup area; from that same section of the B.C.Z.R. to allow two-way aisle widths of 10 ft. in lieu of the required 22 ft.; and from Section 409.8.a.2 & 6 of the B.C.Z.R. to allow a non-striped grass surface in lieu of a striped durable surface. All of the

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Date 4/29/93  
By Mr. Conrad

relief requested is more particularly shown in the site plan to accompany the Petitions, marked as Petitioner's Exhibit No. 1.

Numerous witnesses appeared both in support of and in opposition to the Petition. In support of the Petition, they included Fred Conrad, Jr., the owner/operator of the site and existing business, Frank W. Pine, an aquatic ecology expert from E.A. Engineering Company retained by the Petitioner, and David Thaler, Professional Engineer and Landscape Architect who prepared the plat. In opposition to the Petitions were Jerry Novak, of 210 Stevens Road, who lives approximately 1/4 mile downstream from the site, William Bauer, who grew up in the subject area but who does not live in this vicinity any longer, and David R. Cahlander, who resides in Baltimore City, however, owns property at 218 Stevens Road. The testimony of these witnesses can be summarized as follows:

Mr. Conrad testified that he currently owns the property and operates thereon the business known as Conrad's Ruth Villa. The property has been in his family for 58 years and the business in operation since 1933. The property currently enjoys a nonconforming use status under case No. 89-36-SPH for the business use. Mr. Conrad described the property as shown on the plan. For the purposes of the proposal, the property is now being divided into two parcels, marked as parcel A and parcel B. Parcel A will continue to be used for the catering business and is 13.59 acres in area. It is improved by a two story existing house in which the Petitioner resides, as well as an existing pavilion, arcade, garage (storage) and other out buildings to support the business. Further, the property contains a significant amount of open lawn which is used as both a parking area and a baseball field.

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Parcel B is approximately 2.2 acres and immediately abuts Frog Mortar Creek. Currently, parcel B contains a number of summer cottages which the Petitioner proposes to raze. In lieu thereof, parcel B will feature a proposed multi-purpose building which will house the marina use. Further, the Petitioner proposes to construct a pier approximately 250 ft. from the shoreline into Frog Mortar Creek with two additional strands to accommodate 131 slips.

The Petitioner further notes that public water/sewage is to be provided to the site and that the marina development will be deferred until public water and sewage is available. The proposed multi-purpose building will contain a bathroom, small office and provide snacks and other amenities related to the marina usage.

Lastly, Mr. Conrad described the current parking arrangement. He testified that, as stated above, parking is currently permitted on the grass areas of the site. He wishes to continue this arrangement and not construct a durable asphalt surface. He noted that at most business events, an individual is available to supervise parking is available when the patrons arrive. Mr. Conrad notes that continuing this arrangement is preferable, in that it promotes better drainage for the site and more flexibility in terms of the operation of the business.

As to Mr. Pine, his testimony centered upon the proposed marina use and its affect on the surrounding locale. He opined that the design features of the proposed marina will cause minimal effects on the surrounding locale. He echoed Mr. Conrad's testimony that a grass surface is preferable to a durable asphalt parking area because of the drainage concerns. He also noted that the plan calls for certain reforestation on site and that no dredging will be required to construct the piers in that a floating pier

system will be employed. He testified that, in his view, the proposal would not pollute the creek and surrounding waterways. Lastly, he testified that the Petitioner has made arrangements for a pump-out station to be available and that no gasoline sales would take place on site.

David S. Thaler, the engineer who prepared the plan, testified. His testimony focused primarily upon the entire use of the site. He opined that the site and surrounding locale were ideal for a marina use. As to the special exception, he discussed the requirements of Section 502.1 of the B.C.Z.R. and noted that there will no detriment to the locale should the special exception be approved. In his view, the site is absolutely ideal for a marina use for a number of reasons. They include the fact that the site contains significant permeable surface and that the sandy soil thereon has a high rate of filtration. Secondly, the access to public water and sewer is beneficial and will prevent pollution. Third, Mr. Thaler noted that the Martin State Airport is across Frog Mortar Creek from this property. Therefore, it can be anticipated that no additional development will occur on this section of the creek and, further, the proposed use is highly compatible with the airport use located across the waterway. Mr. Thaler echoed Mr. Pine's testimony regarding the installation of a marina at this location, from the standpoint that no dredging or bulkheading will be necessary. Lastly, Mr. Thaler noted that the shoreline is very stable and will easily accept a marina usage, without erosion or other significant detriment.

In opposition to the request, Mr. Novak, although acknowledging Mr. Conrad as a good neighbor, opposes the continuing proliferation of boats on the waterways. He noted that the subject area is the last open area on Frog Mortar Creek and that construction of the marina would inhibit boat traffic and use in this area.

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Mr. Bauer's testimony generally echoed the testimony of Mr. Novak. He, however, objects to the Petitioner's proposed parking arrangement. It should be noted, however, that Mr. Bauer lives no where near the subject site.

Mr. Cahlander's testimony also expressed similar concerns as to the proliferation of boat usage on the Chesapeake Bay and its tributaries.

As to the Petition for Special Exception, it is clear that the B.C.Z.R. permits this use if it is determined that the conditions as delineated by Section 502.1 are satisfied by the Petitioner. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at this location would not have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. See Schultz v. Pritz, 291 Md. 1 432 A2d 1319 (1981).

This property lies within close proximity to Chesapeake Bay and is, therefore, subject to the Chesapeake Bay Critical Area legislation found within Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management (D.E.P.R.M.) shall submit recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and

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3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

A partial statement of these recommendations was issued by D.E.P.R.M. on February 14, 1992 and shall be attached hereto and become a permanent part of the decision rendered in this case. A complete series of recommendations are to be issued by D.E.P.R.M., pursuant to that department's Zoning Advisory comment dated May 21, 1992. When issued, they shall likewise be incorporated in this Opinion and Order. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management.

Therefore, after reviewing all of the testimony and evidence presented, it is clear that the proposed use will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. Thus, it appears that the special exception should be granted, with certain restrictions, as more fully described below. These restrictions are adopted to further insure compatibility of the project with the surrounding locale.

Having granted the special exception, the Petition for Special Hearing should, likewise, be granted. This, in essence, is nothing more than a redefinition of the geographical boundaries of the nonconforming use and the proposed special exception. Thus, the Petition for Special Hearing shall be granted, so as to eliminate parcel B from the nonconform-

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By Mr. Conrad

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- 2) Tidal Wetlands. Tidal fringe marshes are present along the shorelines of Frog Mortar and Armstrong Creeks. No fringe marshes are located within the limits of construction, therefore, the WDFM indicates a minimal impact.
- 3) Shellfish Beds. Frog Mortar Creek is classified as a Class 1 Water with no viable shellfish beds.
- 4) Rare, Threatened or Endangered Species. There are no rare, threatened, or endangered species on or around this site.
- 5) Spawning and/or Nursery Areas for Anadromous Fish. Frog Mortar Creek is designated as an anadromous fish spawning/nursery area, in Baltimore County's Chesapeake Bay Critical Area Local Protection Program.

The WDFM states that "the physical and chemical water quality impacts associated with marinas located in an anadromous fish spawning area would have a high probability of reducing spawning success and fry survival". The WDF Report for Parkside Marina has attempted to identify the possible water quality impacts those impacts could be minimized, as follows: There shall be no new dredging or new bulkheading on this site to generate a loss of habitat or disturb the existing bathymetric contours of Frog Mortar Creek; Obstructions in the water body which restrict the movement of spawning and larval forms shall be minimized by only placing vertical pilings in the water column for the floating pier and mooring system; Shoreline erosion shall be minimized by the posting of "no wake" signs; Physical impacts from boat propellers shall also be minimized by restricting boats to deep water areas; Possible chemical water quality impacts shall be minimized with the installation of a boat sewage pump-out facility; Potential pollutant sources such as a maintenance facility and fueling dock shall not be present; In-water construction of piers and pilings shall not be done during the March 1 to June 15 spawning season; and, All applicable Best-Management Practices shall be implemented at this facility.

In addition, the applicant shall enhance the existing shallow water habitat area, which is an important nursery area, through the planting of tidal marsh and submerged aquatic vegetation in the near shore depths of one foot or less. The plantings shall be done in accordance with a Planting Plan to be approved by DEPDM, prior to issuance of a grading permit for this development.

By implementation of the various measures listed above, the physical and chemical water quality impacts associated with the marina will be minimized, therefore, the Water-Dependent Facilities Manual indicates a moderate impact.

- 6) Shallow Water Habitat. Approximately 45% of the marina basin contains shallow water habitat less than three feet in depth. No dredging of the marina basin is proposed, therefore, the Water-Dependent Facilities Manual indicates a minimal impact.
- 7) Dredging. No dredging of the marina basin is proposed.
- 8) Filling. No filling of open water, shallow water, or wetlands is proposed.
- 9) Dredged Material Disposal. No dredging of the marina basin is proposed.
- 10) Navigation Issues. No infringement on a Federal, State, or Maryland Port Authority channel is proposed.
- 11) Flushing Characteristics. The flushing characteristics of a site are identified in the Water-Dependent Facilities Manual as a key factor in determining the overall project suitability from an environmental perspective. The WDF Report for Parkside Marina estimated the flushing time for the marina basin using the flushing model given in Appendix D of the WDFM. The results of this model indicate a flushing time for this marina basin of approximately four days. The WDFM states that flushing times of three or four days indicate a moderate/under-termined impact, and will require a dye study to more accurately determine flushing characteristics. However, only flushing times of five days or longer are considered unacceptable, and the Detailed Environmental Assessment Rating System scores flushing times of two to four days with the same point value. Given these parameters, the usefulness of the additional information generated by a dye study seems questionable, therefore, a dye study will not be required and a moderate impact will be assigned to this flushing time.
- 12) Existing Water Quality. The existing water quality at a site is identified in the WDFM as another key factor in determining the overall environmental suitability of a project. Since water-dependent facilities are expected to have some impact upon the quality of the receiving waters,

new or expanding water-dependent facilities are required to determine the existing water quality at the site and to estimate the expected impact the project would have on water quality and the methods by which such impacts would be minimized.

The Water-Dependent Facilities Report for Parkside Marina submitted 1990 water quality data from the Baltimore County Water Quality Monitoring Program for Frog Mortar Creek. These results were averaged and compared to the Maryland receiving water quality standards and to the Nielson Classification scheme. The data indicate that all Maryland receiving water quality standards were met except for fecal coliform counts, and that the average total phosphorus and total nitrogen values were less than 6 on the Nielson index. These results indicate fair water quality for Frog Mortar Creek.

The Water-Dependent Facilities Manual rates fair water quality as a moderate impact, and requires that the applicant calculate the expected post-construction, managed stormwater loadings, including an analysis of expected steady state conditions, and show a net reduction in overall loadings will result from the project.

Expected stormwater pollutant loadings from the site in the pre-development and post-development conditions were estimated using the methodology as given in the Chesapeake Bay Critical Area Commission Guidance Paper, "A Framework for Evaluating Compliance with the 10% Rule in the Chesapeake Bay Critical Area." Expected steady state concentrations that would result from these loadings in marina waters for the pre- and post-development conditions were also estimated. This analysis shows that pollutant loadings from the site will be reduced through a reduction in the use of impervious surfaces.

Parkside Marina shall also minimize water quality impacts by adopting and implementing additional Best Management Practices as specified in the Water-Dependent Facilities Manual, including the following:

- a) Use of porous surfaces wherever possible, particularly in parking lots;
- b) Direction of runoff from impervious surfaces to porous surfaces, to improve infiltration capacity;
- c) Minimal clearing of vegetation on-site;

Therefore, there shall be no increase in runoff and downstream watercourses shall not receive stormwater runoff at a higher rate. Storm drain discharge points shall be decentralized and infiltration of stormwater runoff shall be maximized throughout the site by directing runoff from impervious areas to pervious areas to encourage maximum infiltration.

#### CONCLUSION

Upon implementation of the above Regulations and Findings, this project will be in compliance with the Baltimore County Development Regulations in the Chesapeake Bay Critical Area, and is approved.

If you require additional information, please contact Ms. Patricia M. Farr at 887-2904.

*J. James Dieter*  
J. James Dieter, Director  
Department of Environmental Protection  
and Resource Management

JJD:SRO:ju

cc: Mr. Fred Conrad  
Mr. Alan Scoll

PARKSIDE/MQBCA

- t) Ample and conveniently located toilet facilities shall be provided on-shore;
- u) Pump-out facilities for holding tanks and portable heads shall be provided by the marina;
- v) Cost of pump-out service shall be included in slip rental fees and provided on an unlimited basis to slip holders;
- w) Marina stores shall supply Coast Guard approved marine heads, marine sanitation devices, and related supplies;
- x) Boaters shall be notified of the prohibition against sewage dumping in marine waters, the pollution levels which result from discharges, and the penalties imposed for violations, by posting prominent signs at points of access to piers and other frequented areas, and in conjunction with slip rental agreements;
- y) Individuals leasing slip space shall be held responsible for sewage disposal violations by written contract agreements which specify: "Head discharge overboard will result in voiding this contract immediately and expulsion from the marina with forfeiture of rental fees. Heads are to be pumped out without a per-service fee at marina as often as requested."

#### B. Environmental Assessment

The Water-Dependent Facilities Manual requires the use of a detailed environmental assessment rating system. This is a scoring system which assigns weighted factors to cumulative impacts that would cause water quality and habitat degradation. Scores ranging from 50 to 100 indicate that the project must reduce pre-development pollutant loadings by 20%. Scores of 75 or greater are considered unacceptable, and the project cannot be approved. The result of the rating system for Parkside Marina is a score of 45, which is an acceptable score.

2. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal, tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>.

**Finding:** There are no non-tidal wetlands on this site. Tidal wetlands are present along the shorelines of Frog Mortar and Armstrong Creeks. No clearing, grading, or construction is proposed or shall be permitted in these wetland areas.

3. Regulation: "If no forest or developed woodland exists on the development site, the applicant must afforest 15% of the site according to an approved Forest Establishment Plan" <Baltimore County Code, Section 26-453(c)(4)>.

**Finding:** Each parcel currently has enough existing tree cover to meet the 15% coverage requirements.

4. Regulation: "The sum of all man-made impervious areas shall not exceed 15% of the lot, parcel or property proposed to be developed, except that lots less than or equal to one acre each, and located in a subdivision approved after June 1, 1986 may contain impervious areas up to 25% of the lot" <Baltimore County Code, Section 26-453(e)>.

**Finding:** The proposed impervious areas on Parcels A and B shall not exceed 15% of each parcel, respectively.

5. Regulation: "The stormwater management system shall be designed so that:

(1) Development will not cause downstream property, watercourses, channels or conduits to receive stormwater runoff at a higher rate than would have resulted from a ten year frequency storm if the land had remained in its predevelopment state;

(2) Infiltration of water is maximized throughout the site, rather than directing flow to single discharge points; and

(3) Storm drain discharge points are decentralized to simulate the predevelopment hydrologic regime.

(4) There is sufficient storage capacity to achieve water quality goals of COMAR 14.15 and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state" <Baltimore County Code, Section 26-453(h)>.

**Findings:** There shall be no increase in impervious areas on Parcel A other than a small area of road widening for Edwards Lane within the public right-of-way. There shall be a decrease in impervious areas for the post-development condition on Parcel B.

- d) Conservative use of fertilizers on-site;
- e) Use of non-phosphorus detergents for washing boats;
- f) Use of antifouling paints restricted to boat hulls only; piers and other in-water structures shall not be painted;
- g) Restriction of the number of boats in-water with copper-base painted hulls;
- h) Encouragement to use dry dock facilities which may minimize exposure times of marina waters to antifoulants;
- i) All previously opened containers of miscellaneous chemicals are to be stored in designated facilities;
- j) Waste chemicals shall be disposed off-site by contract with a private waste handling firm;
- k) No explosive chemicals shall be stored on-site;
- l) Waste motor parts and old batteries shall be disposed to closed containers and disposed of off-site by a private contractor;
- m) Painting of boats in-water shall be prohibited;
- n) Filling of fuel tanks from containers shall be prohibited while boats are in the marina;
- o) Boat owners are encouraged to use bilge pump filters or absorbent pads in bilges;
- p) Removal of engines to an upland shop for major maintenance and repair may also help reduce petroleum product losses to the water;
- q) Equipment carts shall be on all piers for conveyance of refuse to conveniently placed dumpsters;
- r) Strict enforcement by marina personnel of proper disposal of trash by boaters;
- s) Marina facilities shall be connected to the public sewage system for disposal of sewage from boats and shore-based facilities;



#### County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

April 28, 1993

J. Carroll Holzer, Esquire  
HOLZER, MAHER, DEMILIO & LEE  
305 W. Chesapeake Avenue, Suite 105  
Towson, MD 21204

RE: Case No. 92-390-SPHXA  
Fred Conrad

Dear Mr. Holzer:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

*Kathleen C. Weldenhammer*  
Kathleen C. Weldenhammer  
Administrative Assistant

encl.

cc: Mr. Michael B. Glick  
Chesapeake Yachting Center, Inc.  
Benjamin Bronstein, Esquire  
Mr. Fred Conrad  
Mr. David S. Thaler  
Mr. Frank W. Pine  
Mr. William Bauer  
Mr. Jerry Novak  
Mr. David R. Cahlander  
People's Counsel for Baltimore County  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk /ZADM  
Arnold Jablon, Director/ZADM



County Board of Appeals of Baltimore County  
OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180  
Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue  
August 12, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-390-SPHXA  
FRED CONRAD  
inter. of Edwards Lane and Bass Road  
(3301 Edwards Lane)  
15th Election District;  
5th Councilmanic District  
SPH-amend prior SPH to add .65 acre to nonconforming use & reduce another portion of nonconforming use by 2.2 acres;  
SE-marina w/retail sales;  
VAR-(3) from parking requirements  
6/19/92 - Z.C.'s Order GRANTING petition with restrictions.

ASSIGNED FOR: WEDNESDAY, DECEMBER 9, 1992 AT 10:00 a.m.

cc: Michael B. Glick, Vice President - Protestants  
Chesapeake Yachting Center, Inc.  
Benjamin Bronstein, Esquire - Counsel for Petitioner  
Mr. Fred Conrad - Petitioner  
Mr. David S. Thaler  
Mr. Frank W. Pine  
Mr. William Bauer  
Mr. Jerry Novak  
Mr. David R. Cahlander  
People's Counsel for Baltimore County  
Public Services  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning Administration  
Lindalee M. Kuszmaul  
Legal Secretary

Lindalee M. Kuszmaul  
Legal Secretary

County Board of Appeals of Baltimore County  
OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180  
Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue  
December 9, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

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FRED CONRAD, inter. of Edwards Lane and Bass Road (3301 Edwards Lane)  
15th Elec. Dist.; 5th Council. Dist.  
SPH-amend prior SPH to add .65 acre to nonconforming use & reduce another portion of nonconforming use by 2.2 acres;  
SE-marina w/retail sales;  
VAR-(3) from parking requirements  
6/19/92 - Z.C.'s Order GRANTING petition with restrictions.

which was scheduled for hearing on December 9, 1992 was POSTPONED on the record to the following agreed upon dates:

ASSIGNED FOR: TUESDAY, APRIL 20, 1993 AT 10:00 a.m. (Day #1)

AND WEDNESDAY, APRIL 21, 1993 AT 10:00 a.m. (Day #2)

cc: Michael B. Glick, Vice President - Protestants  
Chesapeake Yachting Center, Inc.  
Benjamin Bronstein, Esquire - Counsel for Petitioner  
Mr. Fred Conrad - Petitioner  
J. Carroll Holzer, Esquire  
Mr. David S. Thaler  
Mr. Frank W. Pine  
Mr. William Bauer  
Mr. Jerry Novak  
Mr. David R. Cahlander  
People's Counsel for Baltimore County  
Public Services  
P. David Fields  
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Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning Administration  
Lindalee M. Kuszmaul  
Legal Secretary

Lindalee M. Kuszmaul  
Legal Secretary

IN THE MATTER OF \* BEFORE THE  
Fred Conrad 3301 Edwards \*  
Lane 15th Election Dist. \* COUNTY BOARD OF APPEALS  
5th Council. Dist. \* BALTIMORE COUNTY  
\* CASE NO. 92-390-SPHXA

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on Tuesday & Wed. April 20 & 21 at 10:00 a.m. at Room 48, located at basement Old Courthouse and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

Witness: Jim Dieter  
Address: DEPRM  
County Courts Bldg.

Name: J. Carroll Holzer  
Firm: 305 W. Chesapeake Ave. #105  
Address: Towson, Md. 21204  
825-6961

The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

County Board of Appeals of  
Baltimore County

Cost: \$

Summoned: 19

Not served: 19

Sheriff of Baltimore County

92 APR 15 PM 3:20  
RECEIVED  
COUNTY BOARD OF APPEALS

IN THE MATTER OF \* BEFORE THE  
Fred Conrad 3301 Edwards \*  
Lane 15th Election Dist. \* COUNTY BOARD OF APPEALS  
5th Council. Dist. \* BALTIMORE COUNTY  
\* CASE NO. 92-390-SPHXA

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Witness: Susan Overstreet  
Address: DEPRM  
County Courts Bldg.

Name: J. Carroll Holzer  
Firm: 305 W. Chesapeake Ave. #105  
Address: Towson, Md. 21204  
825-6961

The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

County Board of Appeals of  
Baltimore County

Cost: \$

Summoned: 19

Not served: 19

Sheriff of Baltimore County

92 APR 15 PM 3:20  
RECEIVED  
COUNTY BOARD OF APPEALS

RE: PETITIONS FOR SPECIAL HEARING, : BEFORE THE COUNTY BOARD OF APPEALS  
SPECIAL EXCEPTION & VARIANCE : OF BALTIMORE COUNTY  
Intersection of Edwards Lane & :  
Bass Rd. (3301 Edwards Lane) : Zoning Case No. 92-390-SPHXA  
15th Election District :  
5th Councilmanic District :  
FRED CONRAD, Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-2188

I HEREBY CERTIFY that on this 1st day of October, 1992, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esquire, Evans, George & Bronstein, 29 W. Susquehanna Ave., Suite 205, Towson, MD 21204; Michael B. Glick, Vice President, Chesapeake Yachting Center, Inc., 400 Wagner Lane, Baltimore, MD 21220; William Bauer, 2412 Cider Mill Rd., Baltimore, MD 21234; Jerry Novak, 210 Stevens Rd., Baltimore, MD 21220; and David R. Cahlander, 218 Stevens Rd., Baltimore, MD 21220.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

FILE COPY FILE COPY FILE COPY  
April 5, 1993

Mr. William Bauer  
2412 Cider Mill Road  
Baltimore, MD 21234

Re: Case No. CBA-92-390-SPHXA  
Fred Conrad

Dear Mr. Bauer:

Pursuant to our telephone conversation today, enclosed is a duplicate copy of the Notice of Postponement and Reassignment which was sent to you on December 9, 1992. Since your original copy was never returned to this office, we had no way of knowing that you did not receive it. As indicated on the enclosed Notice, the subject matter is scheduled for hearing on Tuesday, April 20, and Wednesday, April 21, 1993 beginning at 10:00 a.m. on both dates.

Should you have any additional questions, please call me at 887-3180.

Very truly yours,  
Kathleen C. Weidenhammer  
Administrative Assistant

Enclosure

CHESAPEAKE YACHTING CENTER, INC.  
400 WAGNER LANE  
BALTIMORE, MARYLAND 21220

July 17, 1992

Mr. Larry Schmidt  
Zoning Commissioner  
111 W. Chesapeake Avenue  
Room 109  
Towson, Maryland 21204

Re: 92-390 SPHXA - *AKK only mbl*  
Intersection Edwards Lane & Bass Road  
3301 Edwards Lane  
15th Election District  
5th Councilman District  
Fred Conrad

Dear Sir:

The purpose of this letter is to register our appeal to the decision of the Zoning Commissioner in the referenced matter.

Sincerely,  
CHESAPEAKE YACHTING CENTER, INC.  
Michael B. Glick, Vice President

RECEIVED  
JUL 17 1992  
7:20 AM  
ZONING OFFICE

RECEIVED  
JUL 17 1992  
ZONING OFFICE





RECEIVED FEB 24 1992

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Robert E. Covahey, Chief  
Bureau of Public Services  
DATE: February 14, 1992  
FROM: J. James Dieter, Director  
SUBJECT: Chesapeake Bay Critical Area Findings  
Parkside Marina

SITE LOCATION

This approximately 15 acre site is located at 3301 Edwards Lane, between Frog Mortar and Armstrong Creeks. The entire site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT Mr. Fred Conrad

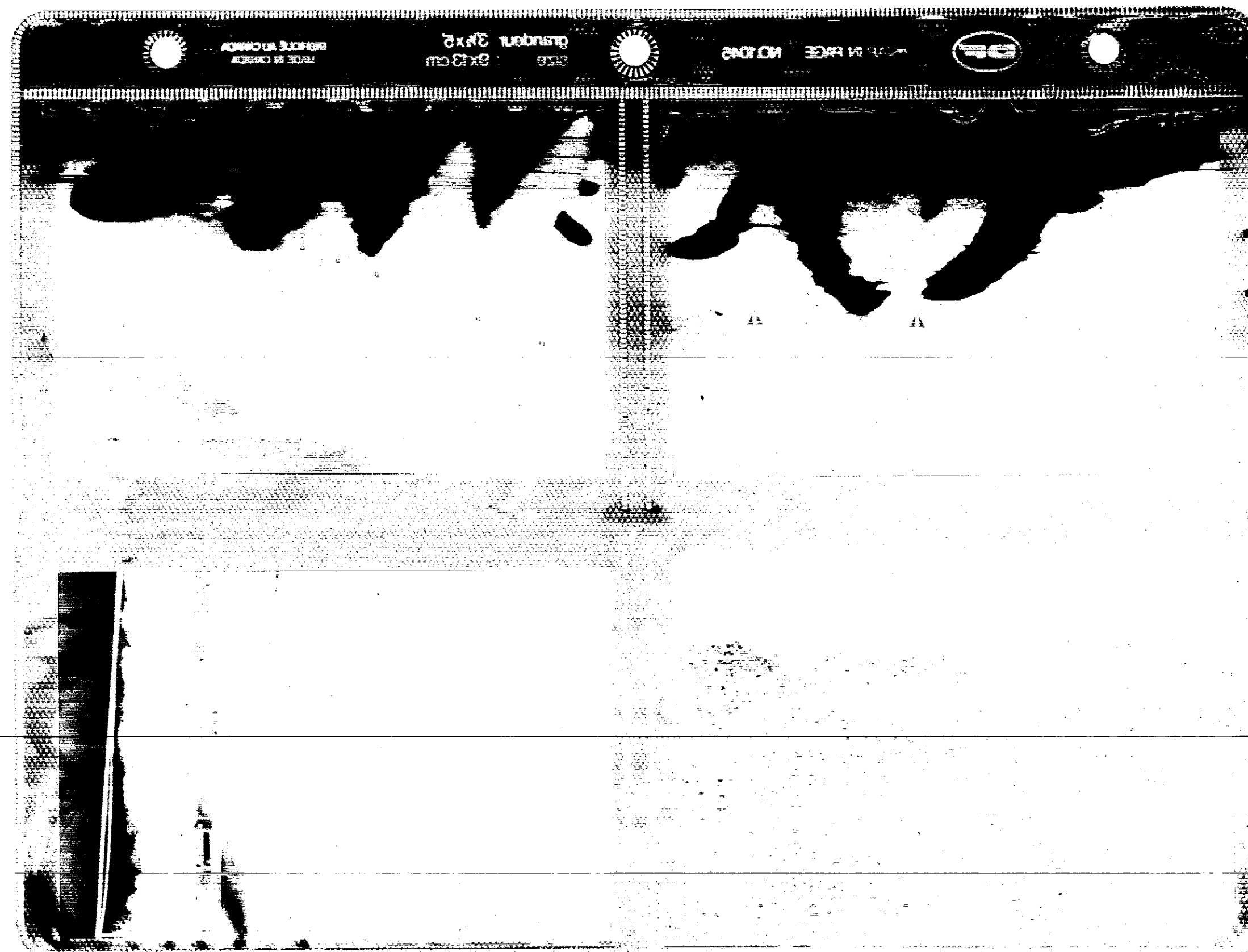
APPLICANT PROPOSAL

This site currently contains residences and various buildings associated with a catering facility. The applicant proposes to subdivide this property into two parcels, A and B, approximately 13 and 2 acres in size, respectively. Parcel A would continue with the existing residential and catering facility uses. Parcel B would be developed as a new marina on Frog Mortar Creek. The new marina would have 131 slips, 77 parking spaces and a multi-use building. All existing residential buildings would be removed from the marina parcel.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Program:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>



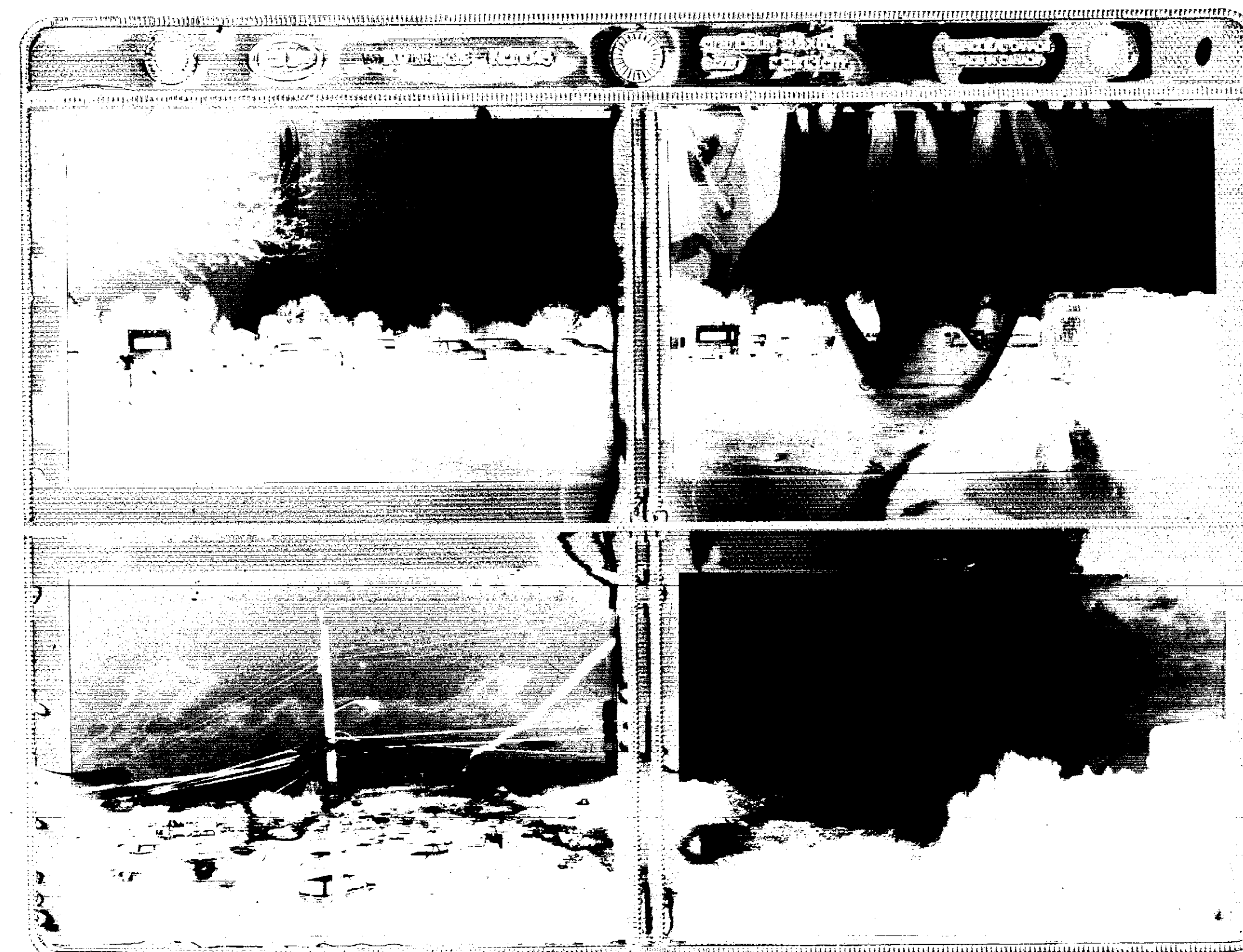
The Relaxed Atmosphere of  
**Conrad's Ruth Villa**  
One of Maryland's Finest Waterfront Recreational Parks

Our exclusive rentals, excellent on-premises catering and dedicated staff will make your employees or guests instantly aware that you have provided an excellent facility for their

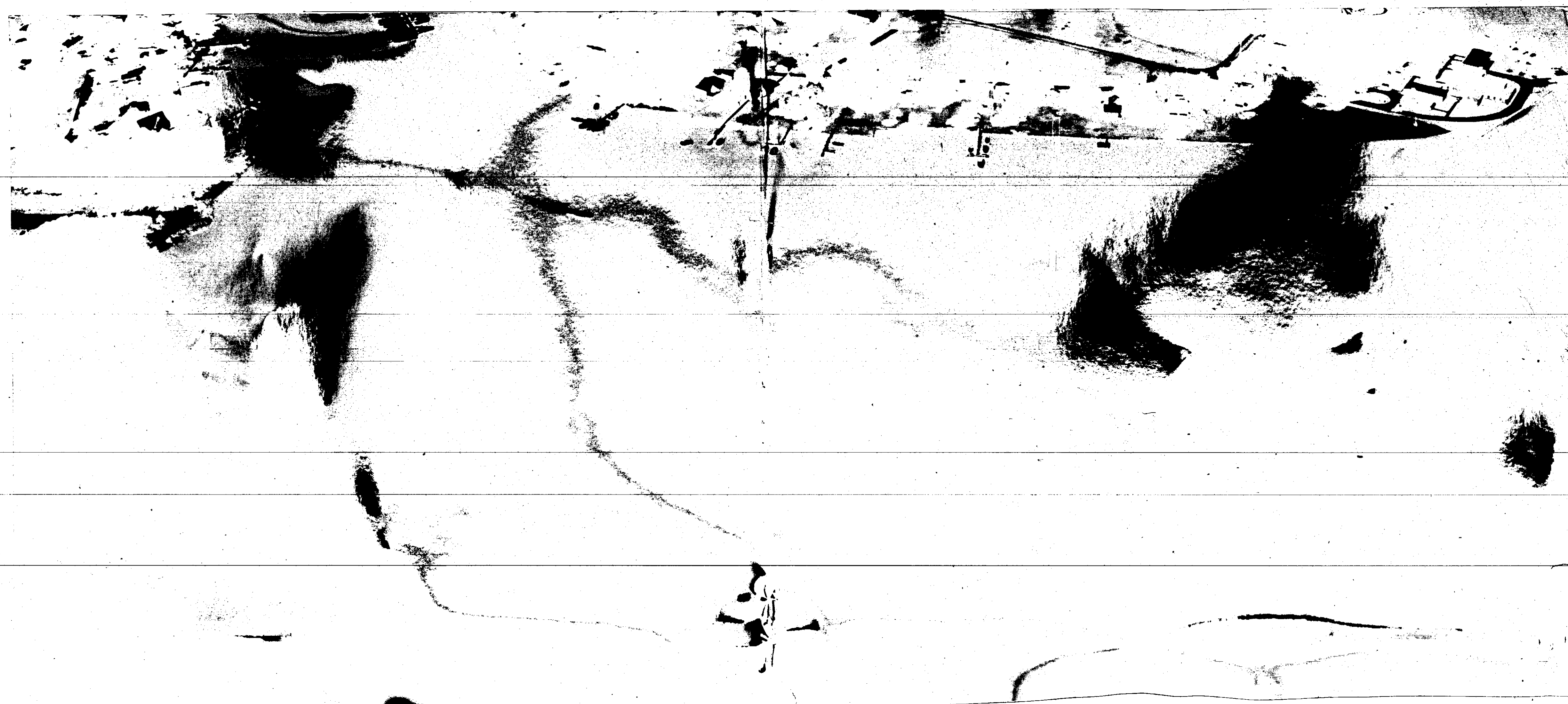
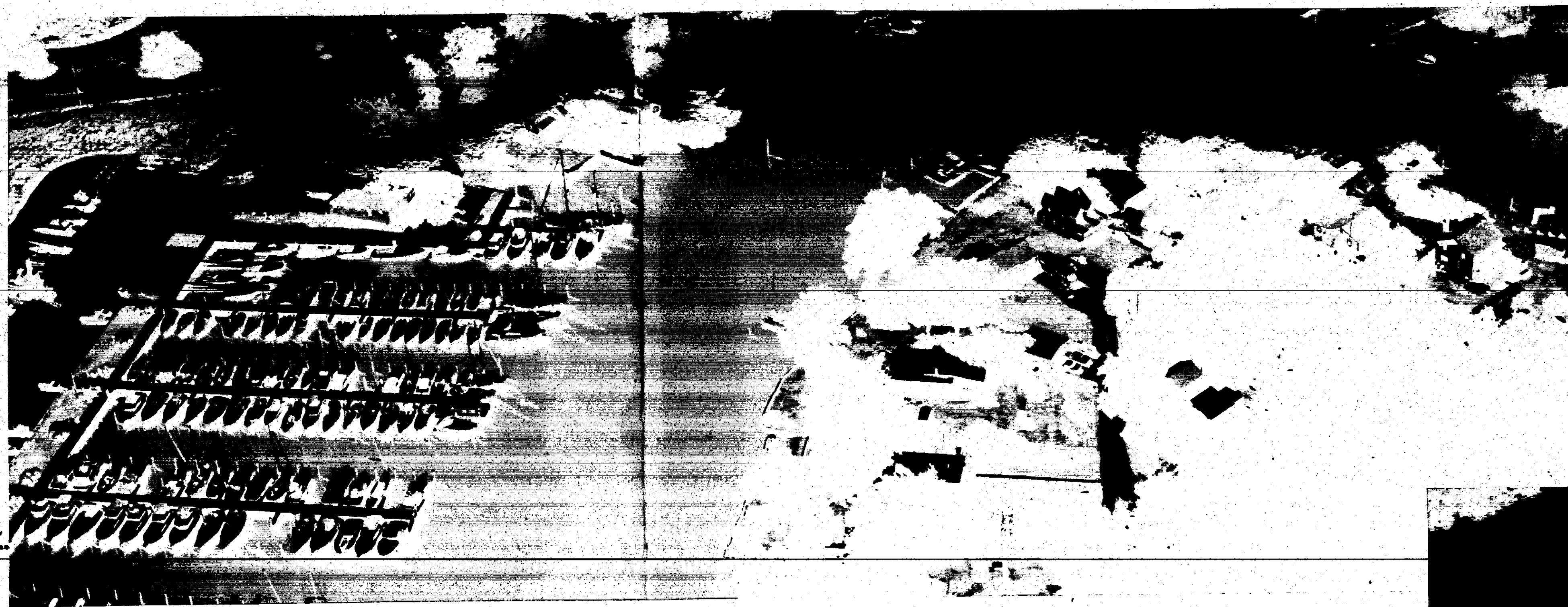
- CRAB FEAST
- BULL ROAST
- COMPANY PICNIC
- FUNDRAISER

— LARGE PAVILIONS  
— ATHLETIC FIELDS  
— SHADED PICNIC GROVE  
— COVERED BARBECUE PITS  
— INDOOR DINING

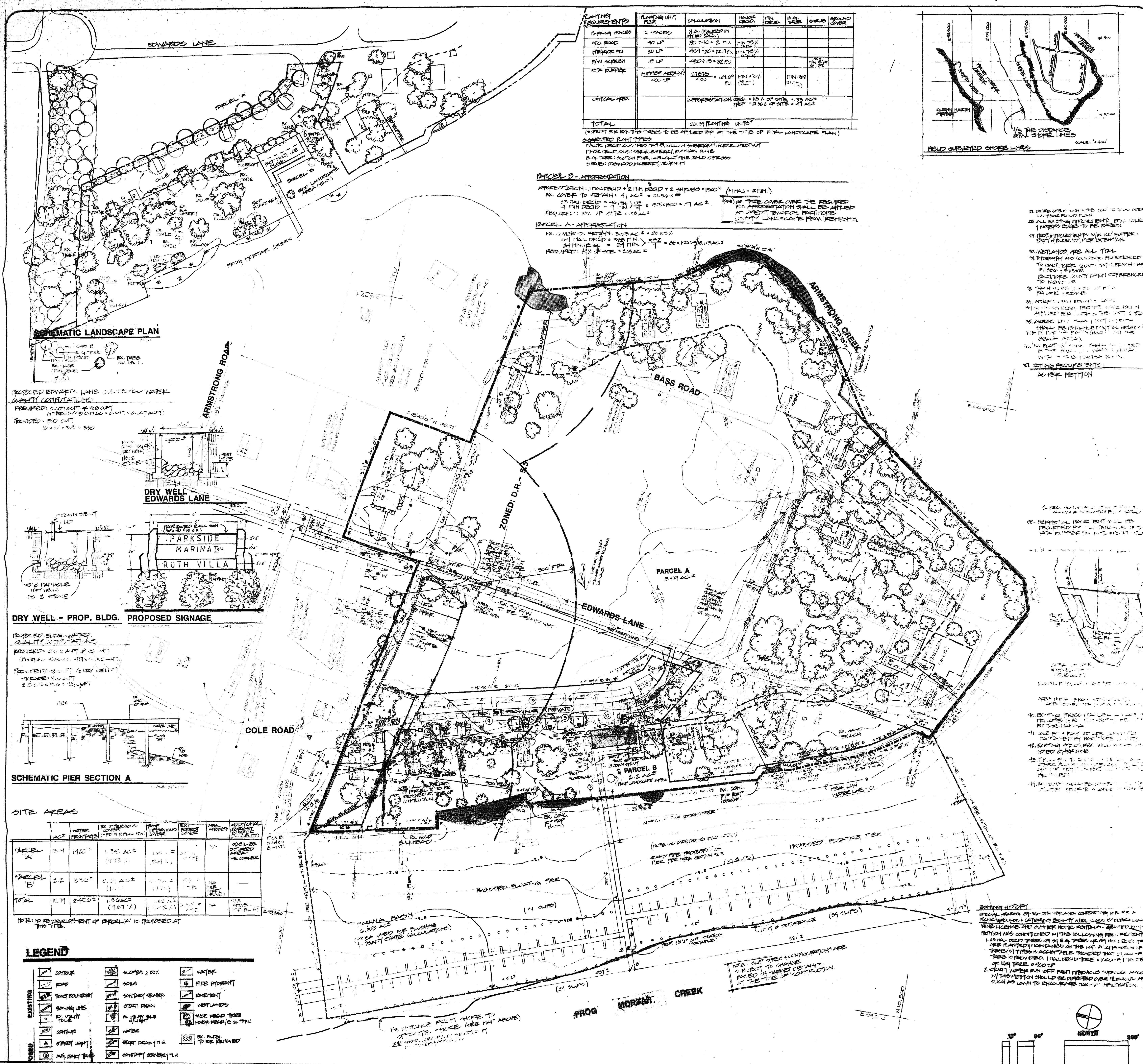
Be certain to enjoy your next party by allowing us to prepare the food, set it up, and serve it to you and your guests. Our complete catering service includes meal preparation from the selection through serving and cleanup.



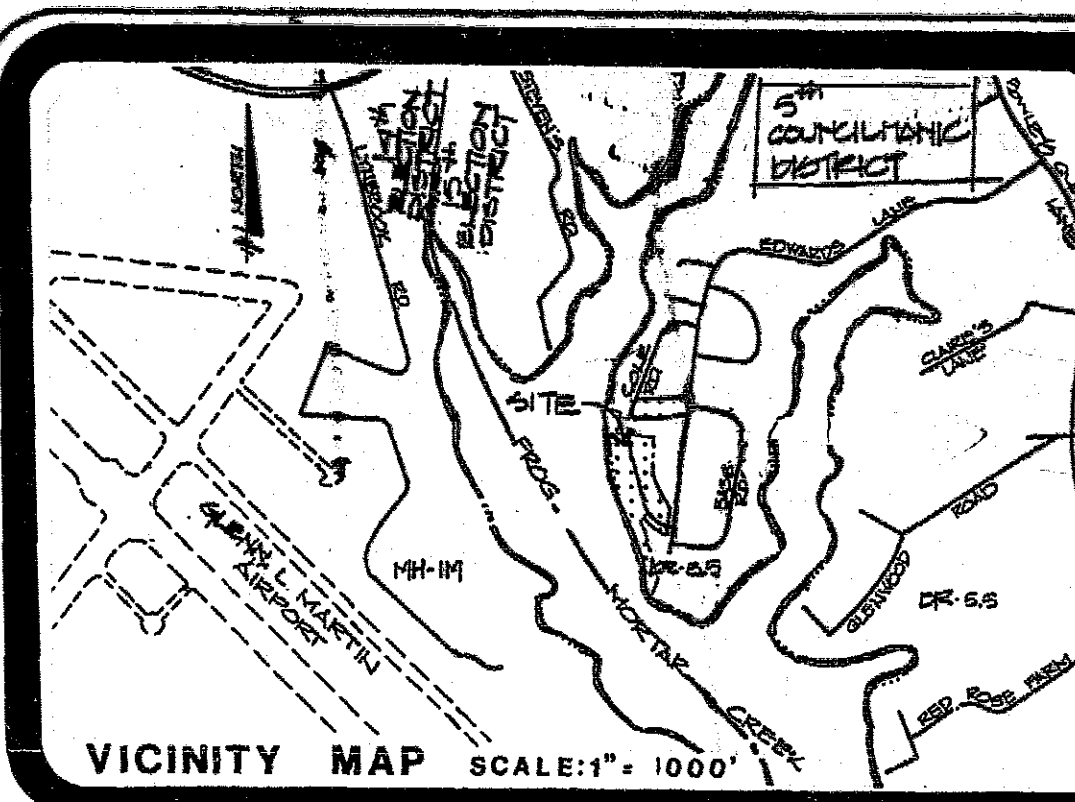
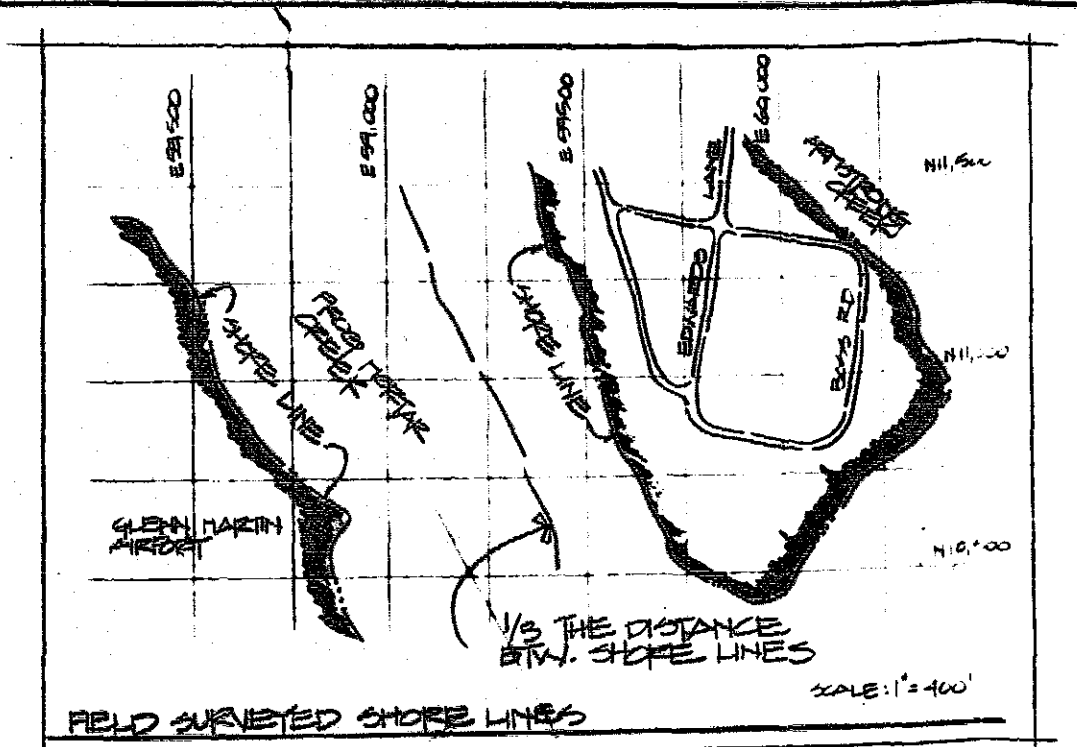








PLANTING REQUIREMENTS	PLANTING UNIT PER	CALCULATION	RANGE REQD.	MIN. REQD.	B.G. TREES	GRUBS	GROUND COVER
PARKING VERGES	10' PAVED	N/A. PARKED IN PAVED AREA					
ADJ. ROAD	40 LF	$80 \div 10 = 8$ PU.	MIN 20'				
INTERLACE RD	20 LF	$40 \div 10 = 4$ PU.	MIN 20' (10' MIN)				
H/W SCREEN	10 LF	$400 \div 40 = 10$ PU.					100% 3' MIN
RTA BUFFER	BUFFER AREA OF 400 SF	$2700 \div 400 = 6.75$ P.U.	MIN 10' / 10' MIN	MIN 30' / 10' MIN			
CRITICAL AREA		INTERPRETATION REQ. = 100% OF SITE = 99 AC. PREP = 21.0% OF SITE = 41 AC.					
TOTAL		126.79 PLANTING UNITS*					



**OWNER / DEVELOPER**  
FREDERICK CONRAD  
CONRAD'S RUTH VILLA  
33301 EDWARDS LANE  
BALTIMORE, MARYLAND 21220  
301) 335-4168

**C.R.G.  
PLAN**

# PARKSIDE MARINA

# ND VARIANCES

# POST & ADVANCE

**D.S. THALER & ASSOC., INC.**  
CIVIL ENGINEERS SURVEYORS  
LANDSCAPE ARCHITECTS LAND PLANNERS  
7115 AMBASSADOR ROAD, #10027

PROJECT No. \_\_\_\_\_

SHEET No. \_\_\_\_\_

### GENERAL NOTES

- [illegible]

PLAY TO ACCOMPANY SPECIAL HEARING, *cast*  
EXERCISE AND VARIANCE

PARKSIDE MARINA	CRG# 11002	PLANNING # 80077
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92-390-SP4XA

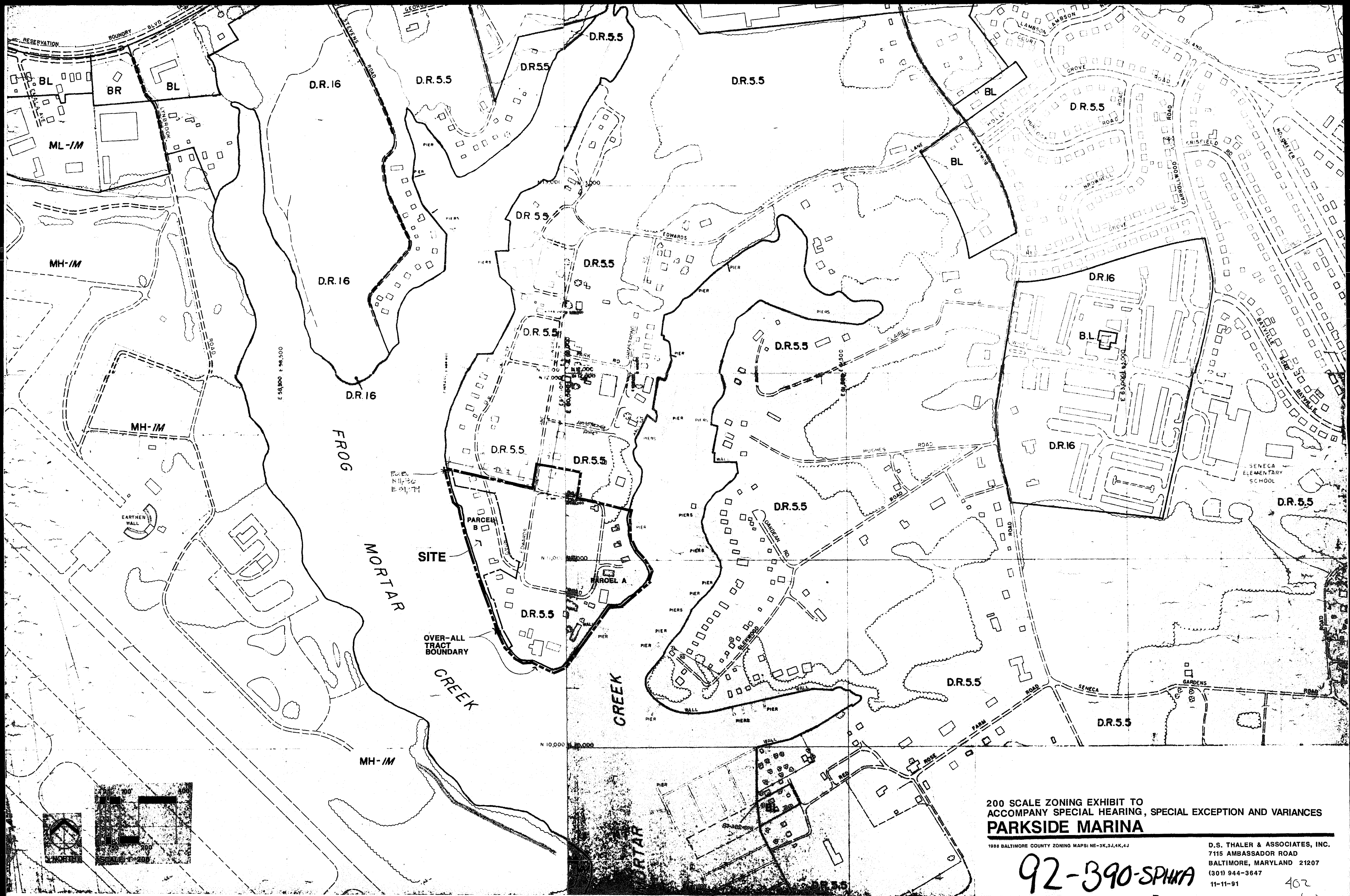
**PETITIONER'S  
EXHIBIT** *№1*

<p><b>REVISIONS</b></p> <p>1. <u>REVISIONS</u></p> <p>2. <u>REVISIONS</u></p> <p>3. <u>REVISIONS</u></p> <p>4. <u>REVISIONS</u></p> <p>5. <u>REVISIONS</u></p> <p>6. <u>REVISIONS</u></p> <p>7. <u>REVISIONS</u></p> <p>8. <u>REVISIONS</u></p> <p>9. <u>REVISIONS</u></p> <p>10. <u>REVISIONS</u></p> <p>11. <u>REVISIONS</u></p> <p>12. <u>REVISIONS</u></p> <p>13. <u>REVISIONS</u></p> <p>14. <u>REVISIONS</u></p> <p>15. <u>REVISIONS</u></p> <p>16. <u>REVISIONS</u></p> <p>17. <u>REVISIONS</u></p> <p>18. <u>REVISIONS</u></p> <p>19. <u>REVISIONS</u></p> <p>20. <u>REVISIONS</u></p> <p>21. <u>REVISIONS</u></p> <p>22. <u>REVISIONS</u></p> <p>23. <u>REVISIONS</u></p> <p>24. <u>REVISIONS</u></p> <p>25. <u>REVISIONS</u></p> <p>26. <u>REVISIONS</u></p> <p>27. <u>REVISIONS</u></p> <p>28. <u>REVISIONS</u></p> <p>29. <u>REVISIONS</u></p> <p>30. <u>REVISIONS</u></p> <p>31. <u>REVISIONS</u></p> <p>32. <u>REVISIONS</u></p> <p>33. <u>REVISIONS</u></p> <p>34. <u>REVISIONS</u></p> <p>35. <u>REVISIONS</u></p> <p>36. <u>REVISIONS</u></p> <p>37. <u>REVISIONS</u></p> <p>38. <u>REVISIONS</u></p> <p>39. <u>REVISIONS</u></p> <p>40. <u>REVISIONS</u></p> <p>41. <u>REVISIONS</u></p> <p>42. <u>REVISIONS</u></p> <p>43. <u>REVISIONS</u></p> <p>44. <u>REVISIONS</u></p> <p>45. <u>REVISIONS</u></p> <p>46. <u>REVISIONS</u></p> <p>47. <u>REVISIONS</u></p> <p>48. <u>REVISIONS</u></p> <p>49. <u>REVISIONS</u></p> <p>50. <u>REVISIONS</u></p> <p>51. <u>REVISIONS</u></p> <p>52. <u>REVISIONS</u></p> <p>53. <u>REVISIONS</u></p> <p>54. <u>REVISIONS</u></p> <p>55. <u>REVISIONS</u></p> <p>56. <u>REVISIONS</u></p> <p>57. <u>REVISIONS</u></p> <p>58. <u>REVISIONS</u></p> <p>59. <u>REVISIONS</u></p> <p>60. <u>REVISIONS</u></p> <p>61. <u>REVISIONS</u></p> <p>62. <u>REVISIONS</u></p> <p>63. <u>REVISIONS</u></p> <p>64. <u>REVISIONS</u></p> <p>65. <u>REVISIONS</u></p> <p>66. <u>REVISIONS</u></p> <p>67. <u>REVISIONS</u></p> <p>68. <u>REVISIONS</u></p> <p>69. <u>REVISIONS</u></p> <p>70. <u>REVISIONS</u></p> <p>71. <u>REVISIONS</u></p> <p>72. <u>REVISIONS</u></p> <p>73. <u>REVISIONS</u></p> <p>74. <u>REVISIONS</u></p> <p>75. <u>REVISIONS</u></p> <p>76. <u>REVISIONS</u></p> <p>77. <u>REVISIONS</u></p> <p>78. <u>REVISIONS</u></p> <p>79. <u>REVISIONS</u></p> <p>80. <u>REVISIONS</u></p> <p>81. <u>REVISIONS</u></p> <p>82. <u>REVISIONS</u></p> <p>83. <u>REVISIONS</u></p> <p>84. <u>REVISIONS</u></p> <p>85. <u>REVISIONS</u></p> <p>86. <u>REVISIONS</u></p> <p>87. <u>REVISIONS</u></p> <p>88. <u>REVISIONS</u></p> <p>89. <u>REVISIONS</u></p> <p>90. <u>REVISIONS</u></p> <p>91. <u>REVISIONS</u></p> <p>92. <u>REVISIONS</u></p> <p>93. <u>REVISIONS</u></p> <p>94. <u>REVISIONS</u></p> <p>95. <u>REVISIONS</u></p> <p>96. <u>REVISIONS</u></p> <p>97. <u>REVISIONS</u></p> <p>98. <u>REVISIONS</u></p> <p>99. <u>REVISIONS</u></p> <p>100. <u>REVISIONS</u></p>		<p><b>DATE:</b> _____</p> <p><b>SCALE:</b> 1" = 50'</p> <p><b>C.I.</b> _____</p> <p><b>DESIGNED BY:</b> _____</p> <p><b>DRAWN BY:</b> _____</p>
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200 SCALE ZONING EXHIBIT TO  
ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCES  
**PARKSIDE MARINA**

1988 BALTIMORE COUNTY ZONING MAPS: NE-3K,3J,4K,4J

D.S. THALER & ASSOCIATES, INC.  
7115 AMBASSADOR ROAD  
BALTIMORE, MARYLAND 21207  
(301) 944-3647  
11-11-91

92-390-SPHRA



ing use, while adding .65 acres, as shown on Petitioner's Exhibit No. 1, to the nonconforming use area.

As to the parking variances, I am, likewise, persuaded that they should be granted. Notwithstanding Mr. Bauer's concerns, it seems in everyone's best interest for this site to remain free from as much impermeable surface as practical. Further, a response to the comment offered by the Office of Planning and Zoning within their Zoning Advisory comment should be offered. It appears that that office does not understand and/or appreciate the parking arrangement proposed by the Petitioner. As shown on the plan, the Petitioner's parking for the marina will be centered upon a 10 ft. wide paved strip which currently exists. Parking aisles will be on both sides of the existing paving. This grassy area on both sides of the paving will be approximately 16 to 18 ft. in depth. Thus, it appears that there is more than sufficient distance for vehicles to park and maneuver in the parking area proposed by the Petitioner. Further, the Petitioner's comments regarding the amount of parking to support this use are well taken. When balanced against the benefits of retaining a permeable surface, I must conclude that it would be wise to continue with the informal parking arrangements which have existed on this site for many years and the proposed plan as shown for the traffic generated by the marina.

For the reasons given above, I am, therefore, persuaded to grant, with restrictions, the Petition for Special Exception, Petition for Special Hearing and the Petition for Zoning Variances.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

-7-

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 19<sup>th</sup> day of June, 1992 that the Petition for Special Exception for permission to use the subject property as a marina with accessory retail sales, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to amend the zoning Order in case No. 89-36-SPH to add an additional .65 acres to the nonconforming use in one section of the property while reducing another portion of the property used by the nonconforming use by 2.2 acres, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED, that the Petition for Zoning Variance from Section 409.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow parking with direct access to vehicular travelways with a limited backup area; and from that same section to allow two-way aisle widths of 10 ft., in lieu of the required 22 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a zoning variance from Section 409.8.a.2 & 6 of the B.C.Z.R. to allow a non-striped grass surface, in lieu of a striped durable surface, all in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. There will be no onsite (land) storage of marine craft, either on blocks, land, or within a rack system.

-8-

3. There will be no boat launching from the site.

4. The number of slips shall be limited to no greater than 131.

5. There will be no gasoline sales from this site.

6. Except as expressly modified herein, the use of the subject site will be restricted to that of a marina, as that term is defined in Section 101 of the B.C.Z.R. That is, there shall be no sales, construction, repair, etc., of marine craft on this site.

7. The Petitioner shall comply with all of the requirements of the Department of Environmental Protection and Resource Management (D.E.P.R.M.), as set forth in their comments dated Feb. 14, 1992, attached hereto and made a part thereof, as well as additional requirements of that department which may be issued, pursuant to the ZAC comment dated May 21, 1992.

Lawrence E. Schmidt  
Lawrence E. Schmidt  
Zoning Commissioner for  
Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING  
Date 1992-06-19  
By Mr. Gorkh

-9-

92-370-SPHXA  
**Petition for Special Hearing**  
to the Zoning Commissioner of Baltimore County  
for the property located at 3301 Edwards Lane  
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amended zoning order in Case No.: 89-36-SPH by including an additional .65 acres ± and reducing the non-conforming use by 2.2 acres ± by a newly created special exception.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:  
(Type or Print Name)  
Signature  
Address  
City State Zipcode  
Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City State Zipcode  
Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City State Zipcode  
Name: Evans, George & Bronstein  
Address: Benjamin Bronstein  
City: Baltimore, Maryland State: MD Zipcode: 21220  
Name: D. S. Thaler & Associates  
Address: 7115 Ambassador Road  
City: Towson, Maryland State: MD Zipcode: 21204  
Name: 29 West Susquehanna Ave., Suite 205  
Address: Towson, Maryland State: MD Zipcode: 21204  
Name: 7115 Ambassador Road  
Address: Towson, Maryland State: MD Zipcode: 21204

ESTIMATED LENGTH OF HEARING  
Available for Hearing  
the following dates: \_\_\_\_\_ Next Two Months  
ALL OTHER \_\_\_\_\_  
REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

92-390-SPHXA  
**Petition for Special Exception**  
to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for \_\_\_\_\_  
\_\_\_\_\_

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:  
(Type or Print Name)  
Signature  
Address  
City and State  
Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney for Petitioner: Evans, George & Bronstein  
Benjamin Bronstein  
(Type or Print Name)  
Signature  
Address  
City and State  
Name: 29 West Susquehanna Ave., Suite 205  
Address: Towson, Maryland State: MD Zipcode: 21204  
Name: D.S. Thaler & Associates  
Address: 7115 Ambassador Rd  
City: Towson, Maryland State: MD Zipcode: 21204  
Attorney's Telephone No.: 410-296-0200

OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING  
Available for Hearing  
the following dates: \_\_\_\_\_ Next Two Months  
ALL OTHER \_\_\_\_\_  
REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

92-390-SPHXA  
**Petition for Variance**  
to the Zoning Commissioner of Baltimore County  
for the property located at 3301 Edwards Lane  
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.4 (409.8.A.6) to allow parking with direct access to vehicular travelways with a limited back up area; to allow two-way aisle widths of 10ft in lieu of the required 22ft; from Sections 409.8.A2 (409.8.A.5) to allow a non striped grass surface in lieu of a striped durable surface.

1. Configuration of tract
2. And for such other and further reasons as may be demonstrated at the time of hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:  
(Type or Print Name)  
Signature  
Address  
City State Zipcode  
Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City State Zipcode  
Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City State Zipcode  
Name: Benjamin Bronstein  
Address: Benjamin Bronstein  
City: Baltimore, Maryland State: MD Zipcode: 21220  
Name: D.S. Thaler & Associates, Inc.  
Address: 7115 Ambassador Road  
City: Towson, Maryland State: MD Zipcode: 21204  
Name: 29 West Susquehanna Ave., Suite 205  
Address: Towson, Maryland State: MD Zipcode: 21204

OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING  
Available for Hearing  
the following dates: \_\_\_\_\_ Next Two Months  
ALL OTHER \_\_\_\_\_  
REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

92-390-SPHXA  
March 30, 1992  
**ZONING DESCRIPTION**  
**PARKSIDE MARINA**

Beginning at a point on the easternmost waters edge of Frog Mortar Creek at a point North 77°42'00" West 473.92 feet from the center of Edwards Lane (a right-of-way 30 feet wide), said center point being 400 feet southerly from its intersection with the center of Armstrong Road; thence, running the following courses and distances:

1. South 77°42'00" East 473.92 feet to a point;
2. North 08°45'00" East 128.90 feet to a point;
3. South 78°13'01" East 206.89 feet to a point;
4. South 08°45'00" West 130.77 feet to a point;
5. South 77°42'00" East 259.30 feet to a point on the waters edge of Armstrong and Frog Mortar Creeks, thence binding on said edge;
6. South 16°07'22" East 232.16 feet to a point;
7. South 33°30'25" East 121.63 feet to a point;
8. South 01°36'24" West 22.94 feet to a point;
9. South 38°12'13" West 159.59 feet to a point;
10. South 59°12'28" West 57.00 feet to a point;
11. South 52°42'58" West 125.73 feet to a point;
12. South 35°57'05" West 344.88 feet to a point;
13. South 70°20'12" West 53.04 feet to a point;
14. North 61°53'41" West 257.39 feet to a point;
15. North 10°10'22" East 18.96 feet to a point;
16. North 32°12'34" West 87.05 feet to a point;
17. North 24°19'32" West 37.77 feet to a point;

402

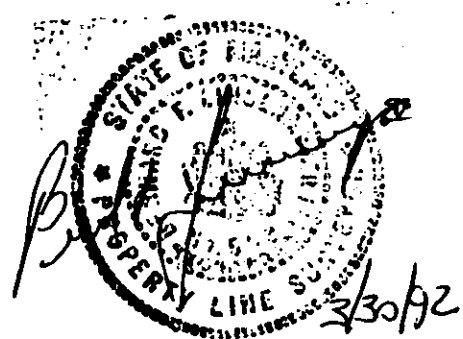


92-390-SPHX

Page 2  
March 30, 1992  
ZONING DESCRIPTION  
PARKSIDE MARINA

18. North 17°44'57" West 50.09 feet to a point;  
19. North 25°18'22" West 32.29 feet to a point;  
20. North 10°21'51" West 14.67 feet to a point;  
21. North 18°26'07" West 33.85 feet to a point;  
22. North 51°58'56" West 16.87 feet to a point;  
23. North 16°20'16" West 305.88 feet to a point;  
24. North 15°34'15" West 61.46 feet to a point;  
25. North 47°38'56" East 4.79 feet to a point;  
26. North 15°31'55" West 30.21 feet to a point;  
27. North 65°23'37" West 24.69 feet to a point;  
28. North 07°16'25" West 32.75 feet to a point;  
29. North 10°56'21" West 68.79 feet to a point;  
30. South 83°15'46" West 18.95 feet to a point;  
31. North 11°50'18" West 204.93 feet to the point of beginning. As recorded in Deed Liber 5490 folio 122 and Liber 6849 folio 143.

Containing 15.791 acres of land, more or less.



402

92-390-SPHX

February 5, 1992

## ZONING DESCRIPTION

## PARKSIDE MARINA

Beginning at a point on the easternmost waters edge of Frog Mortar Creek at a point North 77°44'00" West 470 feet from the center of Edwards Lane (a right-of-way 30 feet wide), said center point being 400 feet southerly from its intersection with the center of Armstrong Road; thence, running the following courses and distances:

1. South 77°42'00" East 10.97 feet to a point;
2. South 11°59'18" East 82.28 feet to a point;
3. South 77°42'00" East 225.00 feet to a point;
4. South 12°48'41" East 244.32 feet to a point;
5. South 15°39'15" East 86.48 feet to a point;
6. South 37°20'59" East 39.93 feet to a point;
7. South 67°39'17" East 26.16 feet to a point;
8. South 09°22'11" West 83.05 feet to a point;
9. North 63°21'06" West 40.32 feet to a point;
10. North 56°53'10" West 60.73 feet to a point;
11. South 70°47'45" West 98.97 feet to a point;
12. South 17°26'45" East 141.04 feet to a point;
13. South 51°58'56" East 10.12 feet to a point;
14. South 18°26'07" East 37.57 feet to a point;
15. South 10°21'51" East 14.06 feet to a point;
16. South 25°18'22" East 31.64 feet to a point;
17. South 17°44'57" East 50.18 feet to a point;
18. South 24°19'32" East 36.51 feet to a point;
19. South 32°12'34" East 90.24 feet to a point;

402

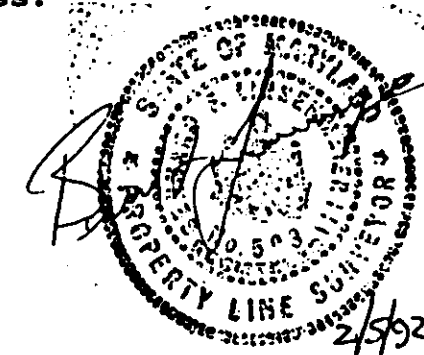
92-390-SPHX

February 5, 1992  
ZONING DESCRIPTION  
PARKSIDE MARINA

20. South 10°10'22" West 26.08 feet to the easternmost water's edge of Frog Mortar Creek; thence, binding upon said Creek;

21. North 61°53'41" West 10.51 feet to a point;
22. North 10°10'22" East 18.96 feet to a point;
23. North 32°12'34" West 87.05 feet to a point;
24. North 24°19'32" West 37.77 feet to a point;
25. North 17°44'57" West 50.09 feet to a point;
26. North 25°18'22" West 32.29 feet to a point;
27. North 10°21'51" West 14.67 feet to a point;
28. North 18°26'07" West 33.85 feet to a point;
29. North 51°58'56" West 16.87 feet to a point;
30. North 16°20'16" West 305.88 feet to a point;
31. North 15°34'15" West 61.46 feet to a point;
32. North 47°38'56" East 4.79 feet to a point;
33. North 15°31'55" West 30.21 feet to a point;
34. North 65°23'37" West 24.69 feet to a point;
35. North 07°16'25" West 32.75 feet to a point;
36. North 10°56'21" West 68.79 feet to a point;
37. South 83°15'46" West 18.95 feet to a point;
38. North 11°59'18" West 204.93 feet to the point of beginning. As recorded in Deed Liber 5490 folio 122.

Containing 2.180 acres of land, more or less.



CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 122 Date of Posting: 4/23/92  
Posted for: [Signature]  
Petitioner: [Signature]  
Location of property: 111 West Chesapeake Avenue, Room 113, Towson, Maryland 21204  
Location of Sign: [Signature]  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 4/23/92  
Number of Signs: 1

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 122 Date of Posting: 4/23/92  
Posted for: [Signature]  
Petitioner: [Signature]  
Location of property: 111 West Chesapeake Avenue, Room 113, Towson, Maryland 21204  
Location of Sign: [Signature]  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 4/23/92  
Number of Signs: 1

3

## NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 113, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 at 10:00 a.m.

Case Number: 92-390-SPHX  
Intersection: Edwards Lane and Bass Road  
3301 Edwards Lane  
15th Election District  
5th Councilmanic District  
Petitioner(s): Fred Conrad (Parkside Marina)  
Hearing Date: Wednesday, May 20, 1992 at 10:00 a.m.

Special Hearing: To approve an amended Zoning Order in Case #92-390-SPHX by including an additional .65 (+/-) acres and reducing the non-conforming use by 2.2 (+/-) acres by a newly created special exception. Special Exception: for a marina with accessory retail sales. Variance: to allow parking with direct access to vehicular travelways with a limited back-up area; to allow two-way lane widths of 10 feet in lieu of the required 22 feet; and to allow a non-striped grass surface in lieu of the striped durable surface.

LAWRENCE E. SCHMIDT  
Zoning Commissioner of Baltimore County  
NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. 4208 April 23

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/23, 1992

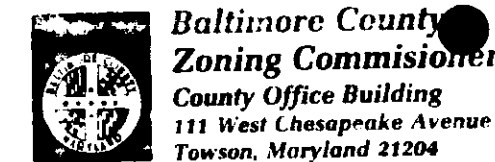
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/23, 1992

THE JEFFERSONIAN,

S. Zake Olson

Publisher

\$54.67



Account: R-001-6150  
Number: 92-390-SPHX

Date: 4/23/92

Cashier Validation

Please Make Checks Payable to Baltimore County

receipt

92-390-SPHX

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 4/28/92

Fred Conrad  
3301 Edwards Lane  
Baltimore, Maryland 21220

RE:  
CASE NUMBER: 92-390-SPHX  
Intersection: Edwards Lane and Bass Road  
3301 Edwards Lane  
15th Election District - 5th Councilmanic  
Petitioner(s): Fred Conrad (Parkside Marina)

Dear Petitioner(s):

Please be advised that \$159.67 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Bel John

ARNOLD JAMON  
DIRECTOR  
cc: Benjamin Bronstein, Esq.

Printed on Recycled Paper

92-390-SPHX

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

APRIL 15, 1992

## NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 113, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 at 10:00 a.m.

CASE NUMBER: 92-390-SPHX  
Intersection: Edwards Lane and Bass Road  
3301 Edwards Lane  
15th Election District - 5th Councilmanic  
Petitioner(s): Fred Conrad (Parkside Marina)  
HEARING: WEDNESDAY, MAY 20, 1992 at 10:00 a.m.

Special Hearing to approve an amended Zoning Order in Case #92-390-SPHX by including an additional .65 (+/-) acres and reducing the non-conforming use by 2.2 (+/-) acres by a newly created special exception. Special Exception: for a marina with accessory retail sales.

Variance: to allow parking with direct access to vehicular travelways with a limited back-up area; to allow two-way lane widths of 10 feet in lieu of the required 22 feet; and to allow a non-striped grass surface in lieu of the striped durable surface.

Lawrence E. Schmidt

Zoning Commissioner of  
Baltimore County

cc: Fred Conrad  
Benjamin Bronstein, Esq.  
D. S. Thaler & Associates

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Printed on Recycled Paper



111 West Chesapeake Avenue  
Towson, MD 21204

May 14, 1992

Benjamin Bronstein, Esquire  
29 West Susquehanna Avenue, Suite 205  
Towson, MD 21204

RE: Item No. 402, Case No. 92-390-SPHXA  
Petitioner: Fred Conrad  
Petition for Special Hearing

Dear Mr. Bronstein:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

111 West Chesapeake Avenue  
Towson, MD 21204

Your petition has been received and accepted for filing this 30th day of March, 1992.

*Carl Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:

*W. Carl Newman Jr.*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Fred Conrad

Petitioner's Attorney: Benjamin Bronstein

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 15, 1992  
Zoning Administration and Development Management

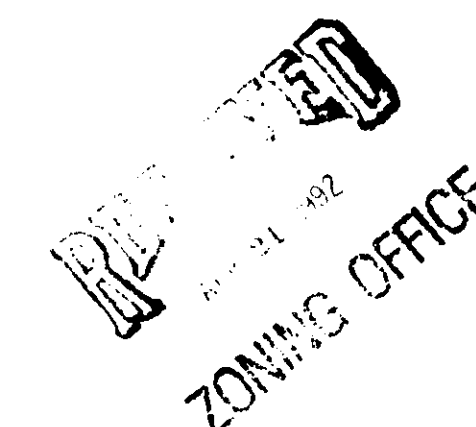
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for April 15, 1992  
Item 402

The Developers Engineering Division has reviewed the subject zoning item and the County Review Group Comments dated March 11, 1992 remain in effect. No comment on variances or exception.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:DAK:s



700 East Joppa Road, Suite 901  
Towson, MD 21204-5500

(301) 847-4500

APRIL 15, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: FRED CONRAD

Location: #3301 EDWARDS LANE - PARKSIDE MARINA

Item No.: 402 (CAM) Zoning Agenda: APRIL 13, 1992

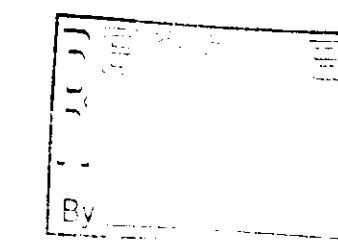
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

\* ROAD SURFACES AND ALL AREAS USED FOR FIRE DEPARTMENT ACCESS SHALL BE PAVED.

REVIEWER: *Carl Jablon* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK



Department of Recreation and Parks  
Development Review Committee Response Form  
Authorized signature \_\_\_\_\_ Date \_\_\_\_\_

Project Name	Waiver Number	Zoning Issue	Meeting Date
11 Heather Green Court	392 ✓	No Comments	4-13-92
RP			
7610 Bay Front Road	396 ✓	No Comments	
(AT CBCA) DEPRM RP			
7608 Bay Front Road	397 ✓	No Comments	
RP			
6207 Ethel Ave. (Ivy Spring Terrace)	398 ✓	No Comments	
RP			
6210 Ethel Ave. (Ivy Spring Terrace)	399 ✓	No Comments	
RP			
2819 Georgia Ave.	400 ✓	No Comments	
RP			
9945-96 York Road (W. Bell property?)	401 ✓	No Comments	
RP			
3301 Edwards Lane (Parkside Marina)	402 ✓	No Comments	
DEPRM RP (AT CBCA)			
818 Berryman Lane	403 ✓	No Comments	
RP			
Lot 102, Meadowcroft	404 ✓	No Comments	
RP			
16 (old) Old Court Road (Weinberg House (recent CRG))	405 ✓	No Comments	
RP			
207 St. Marys Road	406 ✓	No Comments	
DEPRM RP (AT CBCA)			

111 West Chesapeake Avenue  
Towson, MD 21204

July 27, 1992

Baltimore County Board of Appeals  
Old Courthouse, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

RE: Petitions for Special Hearing, Special Exception\*, and Zoning Variance  
Intersection of Edwards Lane and Bass Road  
3301 Edwards Lane  
15th Election District, 5th Councilmanic District  
FRED CONRAD - Petitioner  
Case No. 92-390-SPHXA

Dear Board:

Please be advised that an appeal of the Special Exception portion only of the above-referenced case was filed in this office on July 20, 1992 by Michael B. Glick, Vice President of Chesapeake Yachting Center, Inc.. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

*Michael B. Glick*  
MICHAEL B. GLICK  
Vice President

LES:cer

Enclosures

cc: Fred Conrad - 3301 Edwards Lane Baltimore, Maryland 21220

Benjamin Bronstein, Esquire - Evans, George & Bronstein  
29 West Susquehanna Ave., Suite 205, Towson, MD 21204

Appeal Cover Letter - Case No. 92-390-SPHXA  
Fred Conrad - Petitioner  
July 27, 1992  
Page 2

David S. Thaler - 7115 Ambassador Road, Baltimore, MD 21207

Frank W. Pine, 15 Loveton Circle, Sparks, MD 21152

William Bauer, 2412 Cider Mill Road, Baltimore, MD 21234

Jerry Novak, 210 Stevens Road, Baltimore, MD 21220

David R. Cahlander, 218 Stevens Road, Baltimore, MD 21220

Michael B. Glick, Vice President - Chesapeake Yachting Center, Inc.  
400 Wagner Lane, Baltimore, Maryland 21220

People's Counsel of Baltimore County  
Old Courthouse, 400 Washington Avenue, Towson, MD 21204

File

APPEAL  
Petition for Special Hearing, Special Exception\*, and Zoning Variance  
Intersection of Edwards Lane and Bass Road  
(3301 Edwards Lane)  
15th Election District - 5th Councilmanic District  
FRED CONRAD - Petitioner  
Case No. 92-390-SPHXA

Petition(s) for Special Hearing, Special Exception, and Zoning Variance  
(\*Special Exception appealed only)

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner's/Protestant's Sign-In Sheet

Petitioner's Exhibits: 1. C.R.G. Plan to accompany petition

2. C.R.G. Plan to accompany petition

3. Conrad's Ruth Villa Brochure

4A - 4C - Photographs of site

5. Letter to Community

6A. Letter and Copy of Wetlands License

7. DEPRM Critical Area Findings

Unmarked Exhibit: DEPRM Critical Area Findings (Full Report)

Zoning Commissioner's Order dated June 19, 1992 (Granted with Restrictions)

Notice of Appeal received July 30, 1992 from Michael B. Glick, Vice President - Chesapeake Yachting Center, Inc.

cc: Fred Conrad - 3301 Edwards Lane Baltimore, Maryland 21220

Benjamin Bronstein, Esquire - Evans, George & Bronstein  
29 West Susquehanna Ave., Suite 205, Towson, MD 21204

David S. Thaler - 7115 Ambassador Road, Baltimore, MD 21207

Frank W. Pine, 15 Loveton Circle, Sparks, MD 21152

William Bauer, 2412 Cider Mill Road, Baltimore, MD 21234

Jerry Novak, 210 Stevens Road, Baltimore, MD 21220

David R. Cahlander, 218 Stevens Road, Baltimore, MD 21220



Michael B. Glick, Vice President - Chesapeake Yachting Center, Inc.  
400 Wagner Lane, Baltimore, Maryland 21220

People's Counsel of Baltimore County  
Old Courthouse, 400 Washington Avenue, Towson, MD 21204

Request Notification: P. David Fields, Director of Planning & Zoning  
Patrick Koller, Office of Planning & Zoning  
Lawrence E. Schmidt, Zoning Commissioner  
Timothy M. Kotroco, Deputy Zoning Commissioner  
W. Carl Richards, Jr., Zoning Coordinator  
Docket Clerk  
Arnold Jablon, Director of Zoning Administration  
and Development Management  
Public Services

8/12/92 - Following parties notified of hearing set for December 9,  
1992 at 10:00 a.m.:

Michael B. Glick, Vice President  
Chesapeake Yachting Center, Inc.  
Benjamin Bronstein, Esquire  
Mr. Fred Conrad  
Mr. David S. Thaler  
Mr. Frank W. Pine  
Mr. William Bauer  
Mr. Jerry Novak  
Mr. David R. Cahlander

People's Counsel for Baltimore County  
Public Services  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon

12/09/92 - Hearing postponed on the record to 4/20/93 (Day #1) and 4/21/93 (Day #2) due to  
recusal of Board member due to conflict; unable to proceed with Board; postponed to agreed upon dates as indicated. J. Carroll Hight, Esquire, entered appearance in case on behalf of Chesapeake Yachting Center, Inc.

5-20-92 92-390-SBDA  
BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management  
DATE: May 21, 1992  
FROM: Mr. J. Lawrence Pilson  
Development Coordinator, DEPRM  
SUBJECT: Zoning Item 402  
3301 Edwards Lane  
Zoning Advisory Committee Meeting of April 13, 1992

The Department of Environmental Protection and Resource Management requests an extension for the review of the above referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area Regulations. The applicant must submit a revised Critical Area Findings Plan for review and approval by this Department for the development. The applicant may contact the Environmental Impact Review Division of the Department at 887-2904 for details.

See attached letter outlining specific changes needed to the Findings Plan.

LJP:sp

JABLON/S/TXTSBB

Baltimore County Government  
Department of Environmental Protection  
and Resource Management



401 Bosley Avenue  
Towson, MD 21204

May 21, 1992

(410) 887-3733

Ms. Stacey A. McArthur  
D.S. Thaler & Associates, Inc.  
7115 Ambassador Road  
Baltimore, Maryland 21207

Dear Ms. McArthur:

The Baltimore County Chesapeake Bay Critical Area Program has reviewed the Parkside Marina Petition for Special Hearing, Special Exception and Variance. The following comments must be addressed in order for this Program to continue processing the petition:

1. General Note #5 has been revised to eliminate restrooms from the proposed multi-use building. Restroom facilities are required for the proposed marina, and must be noted on the plan.
2. The proposed 15 foot drainage and utility easement next to the proposed multi-use building should be located so it does not outfall into a tidal wetland.
3. The second plan revision date should read 3-3-92 instead of 3-3-91.
4. The total acreage in the "site areas" chart should not include the existing area of a public road, therefore, the total acreage for Parcel A is 13.45 acres, and the total acreage for the entire property is 15.61 acres. The percent pre- and post-development impervious surface coverage for Parcel A and the entire property should be recalculated based on these total acreage figures.

If you have any questions, please contact Ms. Susan Overstreet at 887-2904.

Sincerely yours,

Patricia M. Farr  
Patricia M. Farr  
Program Supervisor  
Environmental Impact Review Division

PMF:tjl

cc: Mr. Fred Conrad  
Mr. Arnold L. Jablon

MCARTHUR/WQBCBA

BALTIMORE COUNTY, MARYLAND  
OFFICE OF PLANNING AND ZONING  
New Courts Bldg - 401 Bosley Avenue, Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director  
Zoning Administration & Development Management  
FROM: Office of Planning and Zoning  
DATE: April 27, 1992  
SUBJECT: Parkside Marina

INFORMATION:  
Item Number: 402  
Petitioner: Fred Conrad  
Property Size: 2.2 acres  
Zoning: DR 5.5  
Requested Action: Special Hearing, Special Exception and

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:  
This petitioner is requesting variances to allow parking with direct access to vehicular travelways with a limited back up area, to allow two-way aisle widths of 10' instead of the required 22' and to allow a non striped grass surface in lieu of a striped durable surface.

The Office of Planning and Zoning recommends DENIAL of the petitioners request. A ten foot wide area for an automobile to pull in or back out is insufficient and will contribute to numerous fender benders in the parking lots. Perhaps one row of parking could be relocated to another area within this site so that a sufficient radius for maneuvering would be available.

APR 29 1992  
ZONING OFFICE

ZAC COMMENTS  
CRG approval for this site was granted in February 1992. At the CRG meeting this 10' road issue was addressed. The Office of Planning and Zoning commented that the 10 foot wide road with parallel parking on both sides is inadequate. The addition of 131 boat slips will result in an increased demand for parking and more formal parking arrangements should be provided. Traffic Engineering stated that "the existing 10' Cole Road with paving on both sides need to be widened to 22' or it needs to become one-way southbound with angled parking". Staff recognizes that the informal parking arrangements which have existed for years has been adequate to meet the site needs, however, the addition of 131 slips does raise concern over the adequacy of parking.

Parking lot dimensions include two 18 foot wide parking area serviced by a 22 foot wide aisle. These dimensions include two 18 foot wide parking area serviced by a 22 foot wide aisle. These dimensions should be considered minimal for perpendicular parking.

Prepared by: Francis Morley  
Division Chief: Edwin McDaniel

402.ZAC/ZAC1

Pg. 2

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Robert E. Covahey, Chief  
Bureau of Public Services  
DATE: February 14, 1992  
FROM: J. James Dieter, Director  
SUBJECT: Chesapeake Bay Critical Area Findings  
Parkside Marina

SITE LOCATION

This approximately 15 acre site is located at 3301 Edwards Lane, between Frog Mortar and Armstrong Creeks. The entire site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT Mr. Fred Conrad

APPLICANT PROPOSAL

This site currently contains residences and various buildings associated with a catering facility. The applicant proposes to subdivide this property into two parcels, A and B, approximately 13 and 2 acres in size, respectively. Parcel A would continue with the existing residential and catering facility uses. Parcel B would be developed as a new marina and parking facility. The new marina would have 131 slips, 77 parking spaces and a multi-use building. All existing residential buildings would be removed from the marina parcel.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

Mr. R. Covahey  
February 14, 1992  
Page 2

THE WATER-DEPENDENT FACILITIES PLAN

The Water-Dependent Facilities Plan of the Baltimore County Chesapeake Bay Critical Area Program has two basic goals:

1. To minimize the intrusion of man-made land use within the Critical Area buffer; and
2. To establish standards so that development will have a minimal impact on water quality, fish, plant, and wildlife habitat.

In the Chesapeake Bay Critical Area, an undisturbed, vegetated buffer is required in which new development activities are prohibited. This buffer must be established and maintained a minimum of 100 feet landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams <COMAR 14.15.09.01>. However, water-dependent facilities such as Parkside Marina are directly dependent on physical access to the water. Therefore, the law allows these types of land uses to have reasonable access within the buffer, despite their adverse effects on water quality in the Chesapeake Bay.

The Water-Dependent Facilities review process is structured to facilitate evaluation of the proposed development in two major phases:

1. A preliminary site screening evaluation, and
2. A detailed environmental assessment, as presented by the applicant in a Water-Dependent Facilities Plan.

REGULATIONS AND FINDINGS

1. Regulation: "All siting, development, redevelopment and expansion of water-dependent facilities within the buffer must strictly conform to the criteria set forth in the Baltimore County Water Dependent Facilities Manual" <Baltimore County Code, Section 26-454(2)>.

Finding:

- A. Preliminary site screening evaluation for Parkside Marina:
  - 1) Submerged Aquatic Vegetation. There is no mapped submerged aquatic vegetation on or adjacent to this site. The potential habitat for submerged aquatic vegetation is present. The proposed development does not involve any dredging, filling, or physical removal of this potential habitat; therefore, the Water-Dependent Facilities Manual (WDFM) indicates a minimal impact.